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PTO/SB/50 (02-01)

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REISSUE PATENT APPLICATION TRANSMITTAL

Address to:

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Box Reissue
Washington, DC 20231

Attorney Docket No.

203-2058 CON RE

First Named Inventor

Henry Bolanos et al.

Original Patent Number

5,911,353

Original Patent Issue Date
(Month/Day/Year)

June 15, 1999

Express Mail Label No.

EL918828843US

APPLICATION FOR REISSUE OF:



Utility Patent



Design Patent



Plant Patent

(Check applicable box)

APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/ SB/ 56)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent
format (amended, if appropriate)
4. ☒ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy)
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
6. ☒ Power of Attorney
7. Original U.S. Patent currently assigned? ☒ Yes ☐ No
(If Yes, check applicable box(es))
 - ☒ Written Consent of all Assignees (PTO/SB/53)
 - ☒ 37 C.F.R. § 3.73(b) Statement
(PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix)
or large table
9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all of the following are necessary)
 - a. ☐ Computer Readable Form (CFR)
 - b. Specification Sequence Listing on:
 - i ☐ CD-ROM (2 copies) or CD-R (2 copies); or
 - ii ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. ☒ Statement of status and support for all changes
to the claims. See 37 CFR 1.173 (c).
11. ☐ Original U.S. Patent for surrender
 - ☐ Ribbioned Original Patent Grant
 - ☐ Statement of Loss (PTO/SB/55)
12. ☐ Foreign Priority Claim (35 U.S.C. 119)
(if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS
Citations
14. ☐ English Translation of Reissue Oath/Declaration
(if applicable)
15. ☒ Preliminary Amendment
16. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
17. Other: (Check in the amount
of \$790.00)

18. CORRESPONDENCE ADDRESS



Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

CHIEF PATENT COUNSEL

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Christopher G. Trainor

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Signature

Christopher G. Trainor

Date

6/15/01

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REISSUE APPLICATION FEE TRANSMITTAL FORM						Docket Number (Optional) 203-2058 CON RE		
Claims as Filed - Part 1								
Claims in Patent		Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 4	Total Claims (37 CFR 1.16(j)) Independent claims (37 CFR 1.16(i))	(B) 11	**** 0 =	x \$ _____ =	or	x \$ _____ =		
(C) 2		(D) 4	. 1 =	x \$ _____ =		x \$ <u>80</u> =	80	
Basic Fee (37 CFR 1.16(h)) \$ _____								\$ <u>80.00</u>
Total Filing Fee \$ _____						OR	\$ <u>790.00</u>	
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	***	MINUS	**	* =	x \$ _____ =		x \$ _____ =	
Independent Claims (37 CFR 1.16(i))	***	MINUS	*****	=	x \$ _____ =		x \$ _____ =	
Total Additional Fee \$ _____						OR	\$ _____	
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims.</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. <u>04-1121</u>. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> A check in the amount of \$ <u>790.00</u> to cover the filing / additional fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p style="text-align: center;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p><u>June 15, 2001</u> Date</p> </div> <div style="width: 45%; text-align: center;"> <p><u>Christopher G. Trainor</u> Signature of Applicant, Attorney or Agent of Record</p> <p><u>Christopher G. Trainor</u> Typed or printed name</p> </div> </div>								

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Henry Bolanos et al. EXAMINER: Scott A. Smith
SERIAL NO: Not Yet Assigned GROUP ART UNIT: 3721
FILED: June 15, 2001 DOCKET: 203-2058 CON RE (1673 CON RE)
FOR: DISPOSABLE LOADING
UNIT FOR SURGICAL STAPLER

DATED: June 15, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT OF INOPERATIVENESS OR INVALIDITY
OF ORIGINAL PATENT

Sir(s):

Patentees believe the original patent to be partly inoperative or invalid by reason of the patentees claiming less than the patentees had a right to claim in the patent. More specifically, patentees believe they inadvertently failed to claim or claimed too narrowly, novel features of the cutting member of the presently claimed disposable loading unit. Accordingly, this reissue application includes new claims which are of a scope to which patentees believe they are entitled reciting a disposable loading unit including, inter alia, a cutting member.

Respectfully submitted,

Christopher G. Trainor

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CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date June 15, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL918828843US addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Dated: June 15, 2001

Christopher G. Trainor
Christopher G. Trainor